**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO.838 OF 2005**

**IN**

**FIRST APPEAL NO.367 OF 2005**

Keda Chindha Bhamare : Appellant.

versus

Omkar Jaskaran Bhangadia : Respondent.

Mr.A.R.Shaikh for the appellant.

Mr.U.B.Nighot for the respondent.

**CORAM : D.G.DESHPANDE,J.**

**DATED : 10th June 2005.**

**ORAL ORDER**

1. Heard advocates for the appellant and respondent. Appellant is the original defendant against whom a decree for specific performance is

passed. The plaintiff has deposited Rs.1,00,000/- in the Court pursuant to the said decree. In the appeal ad interim relief is granted to the appellant on 2.3.2005.

2. The counsel for the respondent contended that till the appeal is disposed of, the appellant should be restrained from parting with possession or creating third party rights in respect of the suit property. Hence the following order :-

:ORDER:

Ad interim to continue till the appeal is disposed of.

Amount of Rs.1,00,000/- deposited by the respondent before the trial Court shall be invested by the trial Court for a period of three years in the nationalised bank so as to get maximum interest.

Till the appeal is disposed, the appellant will not create third party rights nor will part with possession of

the suit property.

Respondent has agreed to prepare paper book within four weeks from today. Thereafter appeal will be placed for hearing.

Call for R & P.

Civil Application is disposed.

[D.G.DESHPANDE]

10/06/2005 JUDGE.